

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hajime AGA et al.
 Serial No.: 09/034,336
 Filed: March 4, 1998
 For A METHOD FOR INHIBITING... (AS AMENDED)

Art Unit: 1631
 Confirmation No. 3212
 Examiner: M. MORAN
 Washington, D.C.
 Atty.'s Docket: AGA=6
 Date: May 20, 2002

MAY 20 2002
 THE COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

Sir:

Transmitted herewith is an [XX] Amendment [] in the above-identified application.

- Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
 A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
 No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)		Small Entity		Other Than a Small Entity
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra		Rate	Additional Fee		Rate
Total	8	Minus	20	0		x 9	\$		x18
Indep.	2	Minus	3	0		x40	\$		x80
First Presentation of Multiple Dependent Claim					135	\$		+270	\$
TOTAL ADDITIONAL CLAIMS FEE						\$		Total	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, Write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col.1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time
 If any extension of time for a response is required applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
 Response Filed Within
 First - \$ 55.00
 Second - \$200.00
 Third - \$460.00
 Fourth - \$720.00

Other Than Small Entity
 Response Filed Within
 First - \$ 110.00
 Second - \$ 400.00
 Third - \$ 920.00
 Fourth - \$1440.00

[] Less fees (\$) already paid for months extension of time on .

[] Please charge my Deposit Account No. 02-4035 in the amount of \$. A duplicate copy of this sheet is attached.

[] A check in the amount of \$ is attached (check no.).

[XX] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$ 400.00 is attached.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR Section 1.18.

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ATTY.'S DOCKET: AGA=6

In Application of:

Hajime AGA et al.

Serial No.: 09/034,336

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OXYGEN-ELIMINATING...

) Art Unit: 1631

) Examiner: M. MORAN

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) Washington D.C.

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Plunkett
5/22/02

AMENDMENT

Honorable Commissioner for Patents
Washington, D.C. 20231

In response to the Office Action of December 31, 2001, for which a two month extension of time to respond is hereby requested, please enter the following amendment:

IN THE CLAIMS

Please amend claim 5 as follows:

5. (Eighth Amendment) A method for inhibiting the decrease of naturally occurring active-oxygen-eliminating activity in a fresh plant wherein the decrease in said activity is associated with slicing, disruption, or boiling said fresh plant or an edible part of said fresh plant, which comprises a step of incorporating homogeneously, in an aqueous system, at least 1% of an inhibitory agent based on said fresh plant or said edible part on a dry solid basis into